

Notice of Allowability

Application No.

10/570,120

Examiner

William J. Klimowicz

Applicant(s)

WADA, SHINICHI

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

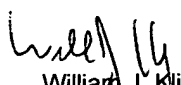
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____


William J. Klimowicz
Primary Examiner
Art Unit: 2627

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The abstract has been amended since the abstract as originally filed exceeds 150 words (157 words, according to an MS Word processing word count). See MPEP 608.01(b), which cites 37 CFR 1.72 (b), and states:

A brief abstract of the technical disclosure in the specification must commence on a separate sheet, preferably following the claims, under the heading "Abstract" or "Abstract of the Disclosure." The ***abstract*** in an application filed under 35 U.S.C. 111 ***may not exceed 150 words in length***. The purpose of the abstract is to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure. The abstract will not be used for interpreting the scope of the claims.

Emphasis in bold italics added. Thus, the following amendment has been made to the abstract:

Amendment to Abstract

(I) The original abstract has been deleted in its entirety, and replaced with the following shortened abstract:

-- A disk drive comprising a turntable 10 which has a ring-like disk receiving

surface 11 on which a disk 40 is placed, a disk holding mechanism 20 which holds the disk 40 on the turntable 10, a disk-retaining abutment member 30 which has projections 34 and 35 provided at an outer periphery of the hole 31 and projecting toward the turntable 10, and a moving mechanism which allows the disk-retaining abutment member 30 and the turntable 10 to relatively approach each other and separate from each other, wherein the projections 34 and 35 are formed by a first deformed portion formed at a position opposed to the disk receiving surface 11 and a second deformed portion formed at a location closer to an inner peripheral side than the disk receiving surface 11, the projection 34 or 35 formed by the second deformed portion most projects toward the turntable 10.--

Claim Amendment

Claim 4 has been amended in order to provide grammatical syntax, without altering the claim scope; claim 11 has been amended in order to provide consistency with the preceding claim language, without altering the scope thereof; claim 13 has been amended in order to provide consistency with the preceding language set forth in claim 1 (at lines 10-11), which in claim 1 references a “projections,” then states the projections “are formed by a first deformed portion” and a “second deformed portion” in claim 1. Thus, in order to provide more consistent antecedent basis, claim 13 has been amended accordingly, Without altering the scope thereof.

(A) With regard to claim 4 (line 13), the phrase “second projections” has been changed to the phrase --second projection--.

(B) With regard to claim 11 (line 2), the word “disc” has been changed to the word --disk--.

(C) With regard to claim 13 (line 2), the phrase “said first projection” has been changed to the phrase --said first deformed portion projection--.

(D) With regard to claim 13 (line 2-3), the phrase “said second projection” has been changed to the phrase --said second deformed portion projection--.

Drawings

Figure 12 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Reasons for Allowance

The following is an Examiner's statement of reasons for allowance:

The prior art of record fails to fairly, teach, show or suggest, by either anticipating or rendering obvious, the invention as set forth in the claims of the instant application.

Furthermore, a search made does not detect the combined claimed elements as set forth in the pending claims. Additionally, the reasons for allowance of the claims over the prior art of

record is believed to be readily clear, self evident and apparent from the claim language set forth in each of claims 1 and 4 (which, has been renumbered as claim 9), when compared and contrasted with the prior art.

More particularly, the instant invention (as set forth in independent claim 1) provides for a disk drive including a turntable which has a ring-like disk receiving surface on which a disk having a center hole is to be placed and which can rotate around a rotation shaft, a disk holding mechanism which holds the disk on the turntable, a disk-retaining abutment member which includes a hole that does not abut against the disk holding mechanism and which has projections provided at an outer periphery of the hole and projecting toward the turntable, and a moving mechanism which allows the disk-retaining abutment member and the turntable to relatively approach each other and separate from each other, wherein the projections are formed by a first deformed portion formed at a position opposed to the disk receiving surface and a second deformed portion formed at a location closer to an inner peripheral side than the disk receiving surface, the projection formed by the second deformed portion most projects toward the turntable.

The closest prior art includes Inata et al. (US 2002/0044522 A1) who discloses a disk drive including a turntable (110), a disk holding mechanism (120) which holds the disk on the turntable (110), a disk-retaining abutment member (210, 215) which includes a hole that does not abut against the disk holding mechanism and which has a sole projections (215) provided at an inner periphery of the hole and projecting toward the turntable, wherein the sole projection (215) is formed by a first deformed portion formed at a position opposed to a disk receiving surface

Inata et al. (US 2002/0044522 A1), however, does not teach, show or suggest, the disk-retaining abutment member including more than one projection, which includes a second deformed portion formed at a location closer to an inner peripheral side than the disk receiving surface, the projection formed by the second deformed portion most projects toward the turntable, as set forth in claim 1 of the instantly claimed invention.

Similarly, as set forth in independent claim 4 - which, has been renumbered as claim 9, provides for a disk drive comprising a turntable, a disk holding mechanism which holds the disk on the turntable, a disk-retaining abutment member which includes a hole that does not abut against the disk holding mechanism and which has projections provided at an outer periphery of the hole and projecting toward the turntable, and a moving mechanism which allows the disk-retaining abutment member and the turntable to relatively approach each other and separate from each other, wherein the projections are formed by a first projection formed at a position opposed to the disk receiving surface and a second projection formed at a location closer to an inner peripheral side than the disk receiving surface, the second projection projects closer to the turntable than the first projection.

Again, the closet prior art includes Inata et al. (US 2002/0044522 A1) who discloses a disk drive including a turntable (110), a disk holding mechanism (120) which holds the disk on the turntable (110), a disk-retaining abutment member (210, 215) which includes a hole that does not abut against the disk holding mechanism and which has a sole projections (215) provided at an inner periphery of the hole and projecting toward the turntable.

Inata et al. (US 2002/0044522 A1), however, does not teach, show or suggest, the disk-retaining abutment member including more than one projection, such that the projections are

formed by a first projection formed at a position opposed to the disk receiving surface and a second projection formed at a location closer to an inner peripheral side than the disk receiving surface, the second projection projects closer to the turntable than the first projection, as set forth in claim 4 (which, has been renumbered as claim 9) of the instantly claimed invention.

Thus, Inata et al. (US 2002/0044522 A1) does not disclose the invention as set forth in the manner, function and relationship relative to other claimed structure as prescribed by the independent claims 1 and 4 (which, has been renumbered as claim 9).

Additionally, Inata et al. (US 2002/0044522 A1) does not provide, alone or in combination with the art of record or general knowledge within the art, any suggestion or teaching for the invention as set forth in the independent claims 1 and 4 (which, has been renumbered as claim 9).

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

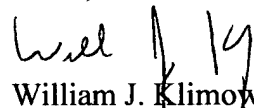
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Friday (7:30AM-6:00PM).

Application/Control Number:
10/570,120
Art Unit: 2627

Page 8

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


William J. Klimowicz
Primary Examiner
Art Unit 2627

WJK